

# MINTZ LEVIN

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VIA ECF

Honorable Colleen McMahon  
Southern District of New York  
United States Courthouse  
500 Pearl St.  
New York, NY 10007-1312

**Re:** *GPIF-I Equity Co., Ltd., et al. v. HDG Mansur Investment Services, Inc., et al.*,  
Case No. 13 Civ. 547 (CM)

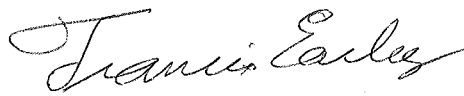
Dear Judge McMahon:

On behalf of Defendants in the above-captioned action, I write to respectfully request a brief postponement to the trial date. We recently learned that following a presentation made by plaintiffs' counsel to the United States Attorney's Office, the United States Attorney's Office is investigating our clients on the issues in this case. Although there is no basis for any criminal charges against our clients and we hope we can clear this up with the United States Attorney's Office promptly, Your Honor undoubtedly appreciates the difficulties of trying to mount a defense to a civil lawsuit in these circumstances, including the chilling effect on Defendants' ability to testify, along with any defense witnesses who have related criminal exposure, and the need for our clients and us to assess the effect that a criminal investigation will have on our presentation at trial.

Although courts in this Circuit typically do not stay a civil action pre-indictment, there is a critical distinction here: we have learned of the government investigation on the eve of trial and it was initiated at the request of Plaintiffs' counsel. We are not requesting a permanent stay but rather a modest extension of a few months' time to allow us to deal with the criminal investigation unimpeded by the civil trial and ultimately after that a trial that is either superseded by a criminal case or unimpeded by such a case.

This is Defendants' first request to postpone the trial date. Plaintiffs do not consent to it.

Respectfully,

  
Francis J. Earley

**Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.**

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Page 2

cc: All Counsel of Record (via ECF)